IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 11th Day of July, 2002

Crl. Misc. Bail Application No. 589 of 2002

Order on the Bail Application

CRIMINAL SIDE

Shannu @ Guddu @ Mehfuz Ali
S/o Slamat Khan, r/o Vill. Akbarabad,
P.S. Tanda, Distt. Rampur…….. Applicant

Versus

State of Uttaranchal …….. Opposite party.

Arising Out of Crime No. 1827 of 2000(S.T. No.249 of 2001)
Under Section:302, 120-B, I.P.C.
Police Station: Kashipur
DISTRICT: Udham Singh Nagar

By the Court

Hon. A.A. Desai, C.J.

Heard Mrs. Pushpa Joshi, learned counsel for the applicant and learned A.G.A.

The applicant is involved in a case punishable under section 302,I.P.C. He is named in the first information report. Positive role has been assigned that he shot fire with country made pistol. Post mortem report also indicates the bullet injury. The contention of Mrs. Joshi is that besides the fire arm bullet injury, the deceased suffered incised wound which could not be explained by eye witnesses. This could not be a ground at this stage to released the accused on bail. More particularly, the prosecution case is that he was hired by the group to kill Bhagat Singh, who was President of the Student Union. Hence, the bail application is rejected.

However, the trial court is directed to expedite the trial.

(A.A. Desai, C.J.)

Dt. 11.07.2002
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